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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	31894-192403
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
A1	5,484,623	01/16/1996	McLean		
A2	5,855,949	01/05/1999	McLean		
A3	4,298,601	11/03/1981	Howard		
A4	5,683,725	11/04/1997	Malik, et al.		
A5	4,833,128	05/23/1989	Solomon, et al.		
A6	5,739,106	04/14/1998	Rink et al.		

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number-Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
B1	WO 99/11254	03/11/1999	Vorster		
B2	JP 10-066513	03/10/1998	Yoshio		
B3	JP 09-173019	07/08/1997	Yoji		
B4	JP 07-147935	06/13/1995	Tokutsugu		
B5	GB 2 348 794	10/18/2000	Vigdorovich		

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Date Considered
C1	Denke, Margo A., et al. "Short-Term Dietary Calcium Fortification Increases Fecal Saturated Fat Content and Reduces Serum Lipids in Men", Journal of Nutrition Vol. 123, No. 6, June 1993, pp. 1047-1053. Copyright © 1993 by American Society for Nutrition.		
C2	BINGZHONG XUE, et al., "The agouti gene product inhibits lipolysis in human adipocytes via a Ca <sup>2+</sup> - dependent mechanism", The FASEB Journal, volume 12, pgs 1391-1396, October 1998.		
C3	CATHERINE B. CHAN, et al., "Overexpression of Uncouplin Protein 2 Inhibits Glucose-Stimulated Insulin Secretion From Rat Islets", Diabetes, volume 48, pages 1-5, July 1999.		
C4	EJ MICHAUD, et al., "Obesity and the Adipocyte", Journal of Endocrinology, 1997, volume 155, pgs 207-209, published in Great Britain.		
C5	HANG SHI, et al., "Role of Intracellular Calcium in Human Adiopocyte Differentiation", Physiol Genomics, volume 3, pgs. 75-82, 2000 (article published online before print)		
C6	J.H. KIM, et al., "Agouti Regulation of Intracellular Calcium : Role of Melanocortin Receptors", The American Physiological Society, volume 35, pgs E379-384, 1997.		
C7	JUDITH COOK, et al., "The Contribution Made, by School Milk to the Nutrition of Primary Schoolchildren", British Medical Journal, 1975, volume 34, pgs. 91-103, London		
C8	LEWIS LANDSBERG, M.D., "Weight Reduction and Obesity", Clin. And Exper. Hypertension,		
Examiner Signature	/Abigail Fisher/	Date Considered	07/01/2008

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Substitute for form 1449/PTO				<i>Complete if Known</i>	
				Application Number	10/066,057
				Filing Date	January 31, 2002
				First Named Inventor	Michael ZEMEL
				Art Unit	1616
				Examiner Name	E.J. WEBMAN
Sheet	2	of	2	Attorney Docket Number	
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	1999, volume 21(5&6), pgs. 763-768	
C9	MICHAEL B. ZEMEL, et al., "Angiotensin Regulation of Intracellular Calcium: Role in the Insulin Resistance of Viable Yellow Mice", Proc. Natl. Acad. Science, volume 92, pgs. 4733-4737, May 1995.	
C10	NATIONAL DAIRY COUNCIL, "Study Herald's the Power of Lowfat Dairy Foods in Helping Control Body Fat and Helping Reduce the Risk of Obesity", press release, November 17, 1999.	
C11	ROBERT C. KLESGES, PhD, et al., "Predictors of Milk Consumption in a Population of 17-to-35-Year-Old Military Personnel", Journal of The American Dietetic Association, July 1999, volume 99, number 7, pgs. 821-838, publisher - Debra McBride.	
C12	SCOTT ACKLEY, et al., "Dairy Products, Calcium, and Blood Pressure", The American Journal of Clinical Nutrition, volume 38, pgs. 457-461, September 1983.	
C13	www.sciencedaily.com, "Calcium May Curb Weight Gain in Young Women", website, 04/1999, (adapted from a news release issued by Purdue University).	
C14	Y. HATA, M YAMAMOTO, M. OHNI, K. NAKAJIMA, Y. NAKAMURA and T. TAKANO, "A Placebo-Controlled Study of the Effect of Sour Milk on Blood Pressure in Hypertensive Subjects", Am J Clin Nutr, 1996;64,pp. 767-771	
C15	YI-CHIN LIN, MS, PhD, et al., "Dairy Calcium Related to Changes in Body Composition During a Two-year Exercise Intervention in Young Women", Journal of the American College of Nutrition, 2000, volume 19, no. 6, pgs. 754-760, published by the American College of Nutrition.	
C16	Milk in Wikipedia ( <a href="http://en.wikipedia.org/wiki/Whole_Milk">http://en.wikipedia.org/wiki/Whole_Milk</a> )	
C17	Dietary Supplement Fact Sheet: Calcium ( <a href="http://dietary-supplements.info.nih.gov/factsheets/calcium.asp">http://dietary-supplements.info.nih.gov/factsheets/calcium.asp</a> )	
C18	Ask a Scientist ( <a href="http://www.newton.dep.anl.gov/askasci/chem99/chem99135.htm">http://www.newton.dep.anl.gov/askasci/chem99/chem99135.htm</a> )	

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